



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

ELP  
Docket No.302-01  
12 April 2001

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel for the Board for Correction of Navy Records, sitting in executive session, considered your application on 11 April 2001. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Naval Reserve on 29 December 1986 for eight years at age 18. You were ordered to active duty on 9 March 1987 for a period of 36 months in the Active Mariner Program.

The record reflects that you were advanced AMSAN (E-3) and served without incident until 6 June 1989, when you received nonjudicial punishment (NJP) for failure to obey a lawful order. Punishment imposed was a reduction in rate to AMSAA (E-2), forfeitures of \$200 per month for two months, and three days confinement on bread and water. The NJP authority suspended one month of the forfeitures for a period of six months.

On 22 September 1989, the foregoing suspended forfeiture was vacated and you received a second NJP for having a female in your room at the bachelor enlisted quarters, failure to obey a lawful general regulation, and consuming alcohol as a minor. Punishment

imposed consisted of a forfeiture of \$200 and 30 days of restriction.

On 8 March 1990 you were honorably released from active duty and assigned an RE-4 reenlistment code.

Regulations require the assignment of an RE-4 reenlistment code to an individual serving in pay grades E-1 or E-2 at the expiration of active obligated service, since reenlistment of such an individual is not authorized. The Board notes that two NJPs within the last year of your service also provided sufficient justification for a non-recommendation for retention and assignment of an RE-4 reenlistment code. Since you were treated no differently than others separated in similar circumstances, the Board could find no error or injustice in your assigned reenlistment code. The Board thus concluded that the reenlistment code was proper and no change is warranted. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director